IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No. 3703 of 2006

Date of decision : 28.10.2006.

M/s Vogue Fabrics, Panipat

.....Petitioner.

Versus

M/s Aashish Fabrics, Panipat & Ors.

.....Respondents.

CORAM : HON'BLE MR. JUSTICE VINOD K. SHARMA

Present : Mr. Kulbhushan Sharma. Advocate
for the petitioner.

Mr. Harkesh Monuja,Advocate
for the respondents.

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VINOD K. SHARMA,J.(ORAL)

The present revision petition has been filed against the order dated 12.5.2005 passed by the learned Civil Judge (Jr. Divn.),Panipat closing the evidence of the plaintiff as he had failed to lead his entire evidence in spite of availing ten effective opportunities.

On the date fixed the witness of the plaintiff was not available for cross-examination and, therefore, the learned trial Court had ordered the closure of evidence.

Learned counsel for the petitioner submits that in the interest of justice, the petitioner may be granted only one opportunity to lead his entire evidence.Without going into the merits of the case, I feel that interest of justice would be served if the petitioner is granted one opportunity to lead his entire evidence on payment of costs. Accordingly,

the present revision is allowed. The impugned order is set aside and the petitioner is granted one last opportunity to lead his entire evidence on the date to be fixed by the trial Court. However, this shall be subject to payment of Rs. 5000/- as costs.

October 28,2006 **(VINOD K. SHARMA)**
'sp' **JUDGE**